BEFORE THE LOK ADALATH

ORGANISED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE V.BHASKARAN NAMBIAR (RETD.JUDGE)
&
THE HONOURABLE MR. JUSTICE R.BHASKARAN (RETD.JUDGE)

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

Crl.MC.No. 3740 of 2006()

CC.68/2006 of JUDL.FIRST CLASS MAGISTRATE COURT-III, KOTTAYAM
.....

PETITIONER: ACCUSED 2 & 3:
---

1. SUNNY VARGHESE,
VIRUTHIYIL (PUTHUPPARAMBIL), VELLAPPALLY LANE,
KOTTAYAM.

2. KUNJUNJAMMA SUNNY,
VIRUTHIYIL (PUTHUPPARAMBIL),
VELLAPPALLY LANE, KOTTAYAM.

BY ADV. SRI.K.GOPALAKRISHNA KURUP

RESPONDENTS: STATE & DEFACTO COMPLAINANT:
---

1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. PRABHA THOMAS,
KATTATHARA HOUSE, MUTTAMBALAM P.O.

BY ADV. SRI.MANJU ANTONEY FOR R2.
PUBLIC PROSECUTOR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT

V.BHASKARAN NAMBIAR (RETIRED JUDGE)
&
R.BHASKARAN (RETIRED JUDGE)

Crl.M.C.No.3740 OF 2006

Dated this the 5th day of March, 2007

A W A R D

This is a matrimonial dispute between Jison Varghese and Prabha Thomas. Both of them and their counsel are also present. The petitioners in Crl.M.C.No.3740/2006 Sri. Sunny Varghese and Smt. Kunjunjamma Sunny are also present. All have been heard as also their counsel.

2. It is now agreed that the marriage between Jison Varghese and Prabha Thomas is divorced by mutual consent and a joint petition will be filed before the Family Court, Ettumanoor in O.P.No.925/2006 filed by Prabha Thomas.

3. O.P.No.922/2006 before the same court is a claim for Rs.8,13,560/- by Prabha Thomas. It is agreed that the Jison Varghese and Sunny Varghese, his father, jointly or severally will pay Rs.6,50,000/- (Rs.Six lakh fifty thousand) by demand draft on or before 9.4.2007.

4. M.C.No.237/2006 on the file of the Family Court, Ettumanoor is for maintenance of the wife and child. It is agreed

that the wife will forgo her claim for maintenance and that the husband will pay Rs.1,000/- (Rs.One thousand only) per month for the maintenance of the child. This amount of Rs.1,000/- can be enhanced after one year by mutual agreement or by order of Court.

5. It is agreed that the claim for restitution of conjugal rights in O.P.No.157/2006 will be withdrawn.

6. On the above basis, after payment of Rs.6,50,000/- as agreed steps can be taken for quashing of the criminal proceedings in C.C.No.68/2006 by the High Court. The joint submission to the above effect will be filed by the parties and their counsel in the appropriate courts.

Copy of the order will be communicated to the counsel for the parties.

V.BHASKARAN NAMBIAR
(RETIRED JUDGE)

R.BHASKARAN
(RETIRED JUDGE)

ps